

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

|                           |   |                   |
|---------------------------|---|-------------------|
| UNITED STATES OF AMERICA, | ) | CASE NO.: 05-288M |
|                           | ) |                   |
| Plaintiff,                | ) |                   |
|                           | ) |                   |
| v.                        | ) | DETENTION ORDER   |
|                           | ) |                   |
| OSWALDO TELLO-TORRES,     | ) |                   |
|                           | ) |                   |
| Defendant.                | ) |                   |
| _____                     | ) |                   |

Offense charged:

Illegal Reentry after Deportation

Date of Detention Hearing: Initial Appearance June 9, 2005

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant is charged with entering the United States unlawfully after deportation.

(2) Defendant is a native and citizen of Mexico. He was not interviewed by Pretrial Services. The defendant has a prior deportation following a conviction for assault in the 2<sup>nd</sup> degree in Seattle in 1996. There is no additional information available regarding his personal history, residence, family ties, ties to this District, income, financial assets or liabilities,

01 physical/mental health or controlled substance use if any.

02 (3) BICE has filed a detainer. As a result, the defendant does not contest detention.

03 (4) The defendant poses a risk of nonappearance based on unknown background  
04 information, a prior deportation and immigration detainer. He poses a risk of danger based on the  
05 assault conviction.

06 (5) There does not appear to be any condition or combination of conditions that will  
07 reasonably assure the defendant's appearance at future Court hearings while addressing the danger  
08 to other persons or the community.

09 It is therefore ORDERED:

10 (1) Defendant shall be detained pending trial and committed to the custody of the  
11 Attorney General for confinement in a correction facility separate, to the extent  
12 practicable, from persons awaiting or serving sentences or being held in custody  
13 pending appeal;

14 (2) Defendant shall be afforded reasonable opportunity for private consultation with  
15 counsel;

16 (3) On order of a court of the United States or on request of an attorney for the  
17 Government, the person in charge of the corrections facility in which defendant is  
18 confined shall deliver the defendant to a United States Marshal for the purpose of  
19 an appearance in connection with a court proceeding; and

20 (4) The clerk shall direct copies of this Order to counsel for the United States, to  
21 counsel for the defendant, to the United States Marshal, and to the United States  
22 Pretrial Services Officer.

23 DATED this 9th day of June, 2005.

24 

25 Mary Alice Theiler  
26 United States Magistrate Judge